

REMARKS

INTRODUCTION

New Claims 30-32 have been added in this Response. Thus, Claims 1 to 32 are now pending in this application. Applicant appreciates the allowance of Claims 7-13, 17-22, 24 and 26-29. Applicant further requests that claims 1, 4, 5 and 14 be amended as set forth above. Support for these amendments and for new Claims 30-32 can be found throughout the present application, and in particular in the drawings. Thus, no new matter is introduced by these amendments.

REJECTIONS UNDER 35 U.S.C. §112

The Examiner has rejected Claims 4, 7, 8, 10 and 14 as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Examiner states that the terms, “the outer surface” recited in each of Claims 4 and 7, “the outer edge” recited in each of Claims 8 and 14, “the outer edges” recited in Claim 10 and “the same length” recited in Claim 14 lack antecedent basis.

In response, Applicant has amended Claims 4 and 14 to clarify the invention. In light of the amendment to Claims 4 and 14, Applicant believes that each of Claims 4, 7, 8, 10 and 14 now have sufficient antecedent basis and particularly point out and distinctly claim the subject matter of the invention. Accordingly, Applicant requests that the rejections to each of these claims be withdrawn.

THE REJECTIONS UNDER 35 U.S.C. §102 SHOULD BE WITHDRAWN

The Examiner has rejected Claims 1-6, 14-16, 23 and 25 for allegedly being anticipated by U.S. Patent Publication No. 2002/0124497 to Fortin (“Fortin”). Applicant traverses.

Fortin discloses a fire resistant door which allegedly has an improved hinged edge construction. In particular, Fortin generally discloses a hinged edge assembly which includes a grooved stile, a high density strip disposed in the groove of the stile, and an intumescent strip disposed adjacent to the high density strip. The hinged edge construction further includes a lippling which covers the intumescent seal. Fortin does not disclose or even suggest a removable and replaceable edge construction as recited in the present Claims.

As illustrated in the Figures, and in particular in Fig. 6, Fortin’s fire resistant door is a conventional vertically hung door having side panels 346 and 348 covering the door frame. Like conventional doors, there is a core body within the frame of the door. Fortin’s allegedly improved stile construction is disposed between the side panels 346 and 348 and within the core body of the door.

In contrast, Claim 1, as amended, recites an “edge construction for a door having a first edge and a second edge.” The edge construction comprises, *inter alia*, “a second straight member disposed adjacent and exterior to an edge of the door.” Further, the second straight member is removably attached to a first member, which forms a permanent part of the door. Fortin does not disclose or even suggest that its stile construction is or can be disposed exterior to the door edge, let alone that it is or is capable of being a removable or replaceable edge

construction. Instead, every component of Fortin's stile assembly is entirely within the core body of the door.

It is clear from the Office Action that the Examiner is of the opinion that Fortin's high density strip (Fig. 6, 336) constitutes a "second straight member" removably attached to a first member (326). However, in contrast to the second straight member, the high density strip (336) is disposed between the side panels and within the core body of the door. It is not disposed adjacent and exterior to an edge of the door. Additionally, the high density strip can not be readily removed from the door and replaced with a similar member. Accordingly, Fortin does not disclose the "second straight member" recited in Claim 1. Rather, Fortin discloses a high density strip to provide a reinforced area to the stile assembly for improved screw holding capacity so that the stile assembly remains intact in the event of fire. See Fortin 2002/0124497, ¶¶ [0002],[0003]. In this regard, the object of Fortin is not to have an edge construction comprising a second straight member that may be readily removed from the door and replaced with a similar member, instead it is to provide a stile assembly that remains intact within the core body of the door. Accordingly, Claim 1 is not anticipated by Fortin.

Moreover, Fortin does not suggest the edge construction recited in Claim 1. As noted, Fortin's objective is to construct a fire resistant door having an improved stile assembly that remains intact under very high temperatures in a fire situation so that the intumescent seal functions properly and the door remains fixed to the frame. Further, Fortin suggests only an improved stile assembly for the hinged side of a door. Advantageously, the edge construction of the present Claims can be disposed on either edge of a door. Thus, an edge construction, as

recited in Claim 1, is not even remotely suggested in Fortin. Accordingly, Applicant respectfully submits that Claim 1 is allowable over Fortin. Additionally, Claims 2 - 6, each of which depend from Claim 1 are allowable for at least the aforementioned reasons.

Claim 14, as amended, recites a rectangular door having, *inter alia*, an edge construction for a vertical edge of a door. The edge construction comprises “a separate stile member disposed adjacent and exterior to the vertical edge and having a length substantially the same as the vertical edge.” As discussed above, Fortin only discloses a stile assembly, which is disposed within the core body of the door. It does not disclose or suggest a door having a “separate stile member disposed adjacent and exterior to the vertical edge of the door.” Accordingly, Fortin does not anticipate Claim 14. Further, Fortin does not suggest such an edge construction. Applicant respectfully submits that Claim 14 is allowable over Fortin. Further, Claims 15 to 16 and 23 and 25, each of which depend on Claim 14 are also allowable over Fortin for at least the aforementioned reasons.

Applicant submits that new Claim 30 is also allowable over Fortin. Particularly, Claim 30 recites an edge construction for a door having a hinged edge and a free edge. The edge construction comprises, *inter alia*, a second straight member disposed adjacent to the free edge of the door and removably attached to the first member. Fortin only discloses a stile assembly on the hinged edge of a door. Moreover, Fortin fails to disclose or suggest a removable and replaceable second member. Accordingly, new Claim 30 is allowable over Fortin.

Further, new Claims 31 and 32, depending from Claim 1 and Claim 14, respectively, are allowable for at least the aforementioned reasons.

CONCLUSION

In light of the foregoing, Applicant respectfully submits that pending Claims 1-32 are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

Dated: 4/24/2006

By: Lisa A. Chiarini
Lisa A. Chiarini
Reg No. 50,932

Gary M. Butter
Reg. No. 33,841

Attorneys for Applicant(s)

BAKER BOTTS L.L.P.
30 Rockefeller Plaza, 44th floor
New York, New York 10112-0228
(212) 408-2646